

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ABRAHIM FATA,
Plaintiff,

v.

**COMMONWEALTH OF
PENNSYLVANIA, et al.,**
Defendants.

:
:
:
:
:
:
:
:

CIVIL ACTION NO. 24-CV-4861

ORDER

AND NOW, this 23rd day of April, 2025, upon consideration of Abraham Fata's *pro se* Complaint (ECF No. 2), October 15, 2024 Case Correspondence and Exhibits (ECF No. 6), Motion to Compel a Discovery Response (ECF No. 21), Motion for Judgment (ECF No. 22), Motion to Produce Audio Recordings of Court Hearings (ECF No. 23), and January 2, 2025 Case Correspondence and Exhibits (ECF Nos. 26, 29-30), it is **ORDERED** that:

1. The Complaint is **DISMISSED** for the reasons in the Court's Memorandum as follows:

- a. Fata's claims are **DISMISSED WITHOUT PREJUDICE**, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), as barred by *Heck v. Humphrey*, 512 U.S. 477 (1994). The dismissal is without prejudice to Fata challenging his probation violation conviction and sentence by proceeding in a new case on a petition for writ of *habeas corpus* after exhausting state remedies, and without prejudice to Fata filing a new case seeking damages only in the event his underlying conviction is first reversed, vacated, or otherwise invalidated.

b. Claims raised on behalf of anyone other than Fata are **DISMISSED WITHOUT PREJUDICE** for lack of standing.

2. Fata's Motion to Compel a Discovery Response (ECF No. 21), Motion for Judgment (ECF No. 22), and Motion to Produce Audio Recordings of Court Hearings (ECF No. 23) are **DENIED**.

3. The Clerk of Court shall **CLOSE** this case.

BY THE COURT:

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, J.